

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE: §
MICHAEL ROSS WEST. §
Debtor § CASE NO. 09-38837-H3-11
§ Chapter 11
§

MOTION TO SUBSTITUTE COUNSEL

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

VERTEX FINANCIAL, LTD. (“Vertex”) files this Motion to Substitute Counsel, showing unto the Court as follows:

1. Vertex was represented during the pendency of this case by Weycer, Kaplan, Pulaski & Zuber, P.C. (“WKPZ”), who employed Edward L. Rothberg as lead counsel of record in this matter. WKPZ also employed Melissa A. Haselden, who also represented Vertex in this case.
2. Both Mr. Rothberg and Ms. Haselden have left WKPZ and are now affiliated with the law firm of Hoover Slovacek, LLP.
3. Vertex has chosen Hoover Slovacek, LLP to continue representation in the main case and in this contested matter. WKPZ has no opposition to this motion.

4. This substitution is made without changing the name of the individual counsel of record, only the firm. Accordingly, no delay is necessary and no prejudice is suffered by any party.

WHEREFORE, PREMISES CONSIDERED, Vertex prays that the Court approve the substitution of counsel and permit Weycer, Kaplan, Pulaski & Zuber, P.C. to withdraw as Vertex Financial, Ltd's counsel and to substitute Hoover Slovacek, LLP as the new counsel of record.

Dated: February 11, 2010

Respectfully submitted,

HOOVER SLOVACEK LLP

/s/ Edward L. Rothberg

By: _____
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ATTORNEYS FOR VERTEX FINANCIAL, LTD.

CERTIFICATE OF SERVICE

I hereby certify that on February 11, 2010, a true and correct copy of the foregoing was served via ECF to the Debtor and all persons requesting ECF notification, and by United States mail, first class postage prepaid, to the following parties:

Richard Kaplan
Weycer Kaplan Pulaski & Zuber, P.C.
11 Greenway Plaza, Suite 1400
Houston, Texas 77046

/s/ Edward L. Rothberg
EDWARD L. ROTHBERG

CERTIFICATE OF CONFERENCE

On January 20, 2010, Edward Rothberg conferred with Richard Kaplan, a principal of WKPZ about the relief requested in this motion. WKPZ is unopposed to the substitution requested herein.

/s/ Edward L. Rothberg
EDWARD L. ROTHBERG